

**United States District Court
Northern District of New York**

Nichole Renee Whitworth,)	Case 5:21-cv-01137-TJM-DJS
<i>Plaintiff,</i>)	
)	Thomas J. McAvoy
vs.)	United States District Judge
)	
Kilolo Kijakazi,)	Daniel J. Stewart
Acting Commissioner of)	United States Magistrate Judge
Social Security)	
<i>Defendant.</i>)	Stipulation – Document Filed Electronically

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the ALJ will provide Plaintiff the opportunity for a new hearing, re-evaluate the medical opinions in the record, re-determine Plaintiff's residual functional capacity, and issue a new decision.

The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Kilolo Kijakazi,

By Her Attorneys

Carla B. Freedman,
United States Attorney

Nichole Renee Whitworth

By Her Attorney

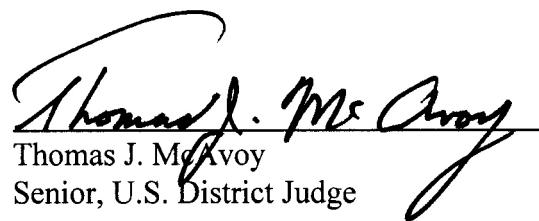
/s/ Lisa G. Smoller

Lisa G. Smoller
Special Assistant United States Attorney
N.D.N.Y. Bar Roll No. 700999
Social Security Administration
Office of the General Counsel
J.F.K. Federal Building, Room 625
Boston, MA 02203
(617) 565-4279
Lisa.g.smoller@ssa.gov

/s/ Howard D. Olinsky¹

Howard D. Olinsky
Olinsky Law Group
250 S. Clinton Street, Suite 210
Syracuse, NY 13202
(315) 701-5780
holinsky@windisability.com

IT IS SO ORDERED.
DATED: May 24, 2022


Thomas J. McAvoy
Senior, U.S. District Judge

¹ Signed by Lisa Smoller with Howard Olinsky's permission.